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KENNEDY LILLIS SCHMIDT & ENGLISH
 Charles E. Schmidt (CS8669)
 Michael P. Hartman (M18993)
 75 Maiden Lane - Suite 402
 New York, N.Y. 10038-4816
 Telephone: 212-430-0800
 Telecopier: 212-430-0810
 Attorneys for Plaintiff
 MITSUI SUMITOMO INSURANCE CO., LTD.

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

MITSUI SUMITOMO INSURANCE CO., LTD.,)

Plaintiff,)

- v. -)

ROADWAY EXPRESS, INC.,)

Defendant.)

USDS SDNY
 DOCUMENT
 ELECTRONICALLY FILED
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 DATE FILED: 8/25/08

08 Civ. 5700 (PKE)

STIPULATION & ORDER

IT IS HEREBY STIPULATED AND AGREED by and between the parties, pursuant to Rule 15 of the Federal Rules of Civil Procedure, that plaintiff, Mitsui Sumitomo Insurance Co., Ltd., may file its First Amended Complaint annexed hereto as Exhibit "A"; that service thereof shall be deemed complete upon the Court's entry of an Order on this Stipulation; and that defendant's time to answer shall run from the date of said Order.

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Dated: New York, New York
August 8, 2008

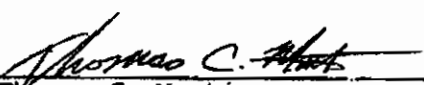
KENNEDY LILLIS SCHMIDT & ENGLISH
Attorneys for Plaintiff
MITSUI SUMITOMO INSURANCE CO.,
LTD.

By:



Michael P. Hartman (MH8993)
75 Maiden Lane - Suite 402
New York, New York 10038-4816
Telephone: 212-430-0800

NOWELL AMOROSO KLEIN BIERMAN
Attorneys for Defendant
ROADWAY EXPRESS, INC.

By:


Thomas C. Martin
155 Polifly Road
Hackensack, New Jersey 07601
Telephone: 201-343-5001

IT IS SO ORDERED


Hon. Judge P. Kevin Castel
United States District Judge

Dated: New York, NY
August 25, 2008